

# **EXHIBIT 2**



## United States Department of the Interior

OFFICE OF THE SOLICITOR  
Division of General Law, Torts Practice Branch  
505 Marquette Ave N.E. Suite 1800  
Albuquerque, NM 87102

May 4, 2022

### **CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Stephen Pevar  
Senior Staff Counsel  
ACLU Racial Justice Program  
765 Asylum Avenue  
Hartford, CT 06105

Re: Federal Tort Claims Act Claim of Lissa Yellow Bird-Chase – No. TPB-21-0533

Dear Stephen Pevar:

By Standard Form 95, dated September 27, 2021, Claimant Lissa Yellow Bird-Chase filed a Federal Tort claim against the Department of the Interior in a total claimed amount of \$2,000,850 in total damages. This claim was received on or about September 27, 2021. This claim was referred to the Office of the Solicitor for processing.

The claims submitted have been referred to me for determination under the Federal Tort Claims Act, codified as amended primarily at 28 U.S.C. §§ 2671-80 (2006), which authorizes the administrative settlement of claims for money damages against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the agency while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

According to the submitted Standard Form 95 and attachments, this claim arises from Claimant's incarceration at the Standing Rock Detention Center starting on or about February 5, 2021. After reviewing this claim and the applicable law, I hereby deny this claim.

If you are dissatisfied with this determination, you may submit to this office a written request for reconsideration within six months after the date of mailing of this letter, or you may, within that same period of time, file suit in an appropriate United States District Court. The decision announced in this letter is final unless reconsideration is requested or suit is filed within the six-month period.

Should you have any questions regarding this decision, please contact Jared M. Slade, the attorney primarily responsible for this claim, at [jared.slade@sol.doi.gov](mailto:jared.slade@sol.doi.gov).

Sincerely,

Patricia J. Reedy  
Assistant Solicitor  
Torts Practice Branch  
Department of the Interior  
Division of General Law

By:

Jared Slade

Digitally signed by  
Jared Slade  
Date: 2022.05.03  
07:53:05 -06'00'

Jared Slade  
Attorney Adviser  
Torts Practice Branch

cc: Wayne Labelle, Safety Office, BIA Great Plains Region;  
Tino Lopez, Acting Special Agent in Charge, BIA OJS District I.